

## CHAPTER 47 ORGANIC CERTIFICATION AND ORGANIC STANDARDS

**21—47.1(190C) Purpose.** In enacting the organic agricultural products Act of 1998, Iowa Code chapter 190C, the Iowa legislature has recognized a variety of needs. These include the need for protection of farmers and consumers with regard to marketing of agricultural products labeled organic in the state of Iowa; the need to define organic agriculture standards that, upon implementation, will promote and enhance agro-ecosystem health, biological diversity and holistic farming practices; and the need to maintain the integrity of organic standards as developed, upheld and perceived by the organic industry. As such, standards relating to the production, processing and handling of organic products have been established through the enactment of the organic agricultural products Act of 1998 and this chapter.

The Act is intended to encourage and enable Iowans to produce agricultural products for the organic market by setting attainable standards and a system of verification of compliance with these standards through a state organic certification program. The department believes that compliance with the Act and this chapter will enhance the quality of organically produced agricultural products and promote interstate and international markets.

The Act establishes the department as a certification agency. However, the Act recognizes the role of private certification agencies providing organic certification services in the state. Private certification agencies should be informed that Iowa producers, processors and handlers certified by such agencies must be in compliance with the Act and this chapter.

Consumers will have a higher level of protection against residues in foods labeled organic than they have with all other foods which must only meet EPA minimum standards. The department recognizes that organic growers are striving to protect and improve the integrity of their products and that testing may be conducted to verify compliance with Iowa Code chapter 190C and this chapter.

The department recognizes that the National Organic Program has not been implemented at the writing of this chapter but that once implemented, USDA accreditation of private and state certification agencies will be required pursuant to the Organic Foods Production Act of 1990. Private certification agencies may provide certification services in Iowa prior to such accreditation being made available by USDA. Once accreditation is available, private certification agencies shall attain USDA accreditation as required by USDA to continue to provide certification services in the state.

The department acknowledges that this chapter is intended to be reasonably consistent with industry, national and international organic standards as established by private certification agencies and international accrediting bodies.

This chapter shall be understood to apply to producers, processors, and handlers of agricultural products advertised or sold as organic. Future amendments to this chapter may be necessary upon the implementation of the National Organic Program.

**21—47.2(190C) Definitions.** As used in this chapter, the following definitions apply:

*“Accreditation”* means a procedure by which an authoritative body gives a formal recognition that a body or person is competent to carry out specific tasks.

*“Accredited certification agency”* means a body, state or private, that has been authorized by the USDA Secretary of Agriculture to conduct certification activities as a certifying agent pursuant to the federal Organic Foods Production Act of 1990 (7 U.S.C. 6501 et seq.) upon implementation of the National Organic Program.

*“Agricultural product/product of agricultural origin”* means any product or commodity of agriculture, raw or processed, including any commodity or product derived from livestock, that is marketed for human or livestock use or consumption.

“*Allowed*” means materials and practices which may be used for the production of organic crops, livestock and processed products with no restrictions.

“*Animal*” means any mammals, birds, or insects including cattle, sheep, goats, swine, poultry, equine, domesticated game, and bees.

“*Animal manure*” means excreta of animals, together with whatever bedding materials are used to maintain proper sanitary and health conditions.

“*Annual crop*” means any crop that is harvested from the same planting during the same crop year and that does not produce crops in subsequent years.

“*Antibiotic*” means any of various substances, such as penicillin or streptomycin, that are used to inhibit or destroy the growth of microorganisms in the prevention and treatment of diseases.

“*Application assistance*” means the distribution, collection and review of application materials for completeness, including initiating contact with members to report missing paperwork and incomplete data.

“*Application materials*” means the application for organic certification including the organic plan, inspection report, and all other materials necessary to determine compliance with Iowa Code chapter 190C and this chapter.

“*Audit*” means a formal examination and verification of organic practices to determine whether such practices comply with organic standards.

“*Audit trail*” means a comprehensive system of documentation which verifies the integrity of organic products or ingredients, from production through harvest, storage, transport, processing, handling, and sales.

“*Authorized certification agent*” means the department’s organic agriculture bureau, which shall serve as a certification agent on behalf of and as authorized by the secretary of agriculture pursuant to Iowa Code section 190C.4(2).

“*Breeding*” means the selection of plants or animals to reproduce desired characteristics in succeeding generations.

“*Buffer zone*” means a clearly defined and identifiable boundary area bordering an organic production unit that is established to limit inadvertent application or contact of prohibited substances from an adjacent area not under organic management.

“*Certificate (organic)*” means an annual written assurance which identifies the name and address of the entity certified, effective date of certification, expiration date of certification, certificate number, types of products and processes certified, name and address of certification agency, and standards to which the entity is certified.

“*Certification*” means the annual procedure by which an independent third party gives written assurance that a clearly identified production or processing system has been methodically assessed and conforms to organic standards.

“*Certification seal*” means a certification agency’s logo, sign or mark which is used to identify products or operations certified as in compliance with the certification agency’s standards.

“*Certified organic farm*” means a farm, or portion of a farm, or site where agricultural products or livestock are produced, that is certified by a certifying agency under the Organic Foods Production Act of 1990 (7 U.S.C. 6501 et seq.) as utilizing a system of organic farming under the same title.

“*Certified organic handling operation*” means any operation, or portion of any handling operation, that is certified by the certifying agent under the Organic Foods Production Act of 1990 (7 U.S.C. 6501 et seq.) as utilizing a system of organic handling described under the same title.

“*Certified organic product*” means a product which has been produced, processed or handled in conformance with Iowa Code chapter 190C and this chapter and as verified by the existence of a valid organic certificate.

“*Certified organic wild crop harvesting operation*” means a clearly identified wild crop harvesting site or operation that is certified by a certification agency and is in compliance with Iowa Code chapter 190C and this chapter.

“*Commercially available*” means the documented ability to obtain a production input or ingredient in an appropriate form, quality and quantity to be feasibly and economically used to fulfill an essential function in a system of organic farming, processing or handling.

“*Commingling*” means the physical contact between nonpackaged or permeably packaged organic products and nonorganic products during production, processing, transportation, storage, or handling.

“*Compost*” means a stabilized product of controlled decomposition of an appropriate mixture of nitrogen and carbon-bearing materials to produce humus as a soil conditioner or fertilizer.

“*Conversion (transition)*” means the act of implementing organic management practices in accordance with organic standards.

“*Conversion period (transition period)*” means the time between the start of organic management and certification of the crop or livestock production system as organic.

“*Critical control point*” means a point in a food process used by a certified organic handler when there is a high probability that improper control may cause, allow, or contribute to a hazard, a loss of organic integrity of the food, or to filth in the final food or decomposition of the final food.

“*Crop*” means a plant or part of a plant intended to be marketed as an agricultural product or fed to livestock.

“*Crop rotation*” means the practice of alternating annual with annual and perennial crops grown on a specific field in a planned pattern or sequence so that crops of the same species or family are not grown on the same field during consecutive crop years.

“*Crop year*” means the normal growing season for a given crop.

“*Cultural practices*” means management-intensive methods which are used to enhance crop or livestock health or prevent weed, pest or disease problems without the use of external inputs including, but not limited to, selection of appropriate varieties and breeds; selection of appropriate planting sites; proper timing and density of plantings; construction of livestock facilities designed to optimize animal health; and proper stocking rates.

“*Department*” means the Iowa department of agriculture and land stewardship.

“*Detectable residue level*” means the level at which the presence of a pesticide, heavy metal, genetically engineered organism or other substance can be verified using current technology.

“*Distributor*” is a business that purchases product under its own name, usually from shippers, processors, or other distributors, and generally sells outside its local area.

“*Drift*” means the physical movement of prohibited pesticide, or fertilizer droplets or granules from the intended target site onto a certified organic field or farm, or portion thereof.

“*Extract*” means the act of producing a substance by dissolving the soluble fractions of a plant, animal or mineral in water or another solvent; or the product thereof.

“*Farm*” means an agricultural operation maintained for the purpose of producing agricultural products.

“*Feed*” means food for livestock, excluding mineral and vitamin supplements and feed additives.

“*Feed additive*” means a substance or combination of substances added to feed in micro quantities to fulfill a specific need, i.e., nutrients in the form of amino acids, minerals, and vitamins.

“*Feed emergency*” means a temporary unplanned shortage of certified organic feed due to conditions that are entirely beyond an operator’s control.

“*Feed supplement*” means a feed used with another feed to improve the nutritive balance or performance of the total ration and intended to be:

1. Diluted with other feeds when fed to livestock;
2. Offered free choice with other parts of the ration if separately available; or
3. Further diluted and mixed to produce a complete feed.

“*Fertilizer*” means any substance containing one or more recognized plant nutrients which is used for its plant nutrient content and which is designed for use and claimed to have value in promoting plant growth.

“*Fiber*” means a natural agricultural filament, as of cotton, flax, hemp or wool, including material made of such filaments.

“*Field*” means an area of land identified as a discrete and distinguishable unit within a farm operation.

“*Fogging*” means the application of a liquid or solid insecticide which is vaporized by heat or atomization to penetrate free air space to kill pests.

“*Food*” means a material, usually of plant or animal origin, containing or consisting of essential body nutrients, as carbohydrates, fats, proteins, vitamins, or minerals, that is taken in and assimilated by an organism to maintain life and growth.

“*Food additive*” shall have the same meaning for purposes of this chapter as within the Federal Food, Drug and Cosmetic Act.

“*Forage*” means feed for livestock, often consisting of coarsely chopped leaves and stalks of grasses and legumes.

“*Fumigation*” means application of a gas, such as methyl bromide, to a sealed space to permeate areas and products to kill all pests, including eggs and larvae.

“*Fungicide*” means any substance that kills or inhibits the growth of fungi or molds.

“*Genetically engineered/modified organisms (GEO/GMO)*” means all organisms, and products thereof, produced through techniques in which the DNA has been altered in ways that do not occur under natural conditions or processes. Techniques of genetic engineering/modification include, but are not limited to: recombinant DNA, cell fusion, microinjection and macro injection, encapsulation, gene deletion, introduction of a foreign gene and changing the position of genes. Genetically engineered organisms do not include organisms resulting from techniques such as breeding, conjugation, fermentation, hybridization, in-vitro fertilization and tissue culture.

“*Handle*” means to sell, process, package or store agricultural products.

“*Hazard*” means a probability that a given pesticide will have an adverse effect on people or the environment in a given situation, the relative likelihood of danger or ill effect being dependent on a number of interrelated factors present at any given time.

“*Herbicide*” means a substance used to kill or destroy plants, especially weeds.

“*Horticultural crops*” means crops intended for human consumption, including vegetables, fruits, and herbs.

“*Ingredient*” means any substance, including a food additive, used in the manufacture or preparation of a food and present in the final product, although possibly in a modified form.

“*Insecticide*” means a substance used to kill insects.

“*Inspection*” means the on-site examination of production, handling and management systems to assess if performance of the operation is in compliance with prescribed organic standards.

“*Inspector*” means a person who performs inspections on behalf of a certification agency.

“*Ionizing radiation (irradiation)*” means radionuclides (such as cobalt-60 or cesium-137) capable of altering a food’s molecular structure for the purpose of controlling microbial contaminants, pathogens, parasites and pests in food; preserving a food; or inhibiting physiological processes such as sprouting or ripening.

“*Labeling*” means any commercial message, written, printed or graphic, that is present on the label of a product, accompanies the product, or is displayed near the product, for the purpose of promoting its sale or disposal.

“*Manure - green*” means a crop that is incorporated into the soil for the purpose of soil improvement.

“*Manure - raw*” means animal excreta, possibly including bedding materials, which has not been composted or otherwise decomposed.

“*Manure re-feeding*” means the practice of feeding to livestock animal waste that has been processed for such use. This practice is prohibited in organic livestock production.

“*Marketing*” means holding for sale or displaying for sale, offering for sale, selling, delivering or placing on the market.

*“National List”* means a list of approved and prohibited substances that shall be included in the standards for organic production and handling as established under the Organic Foods Production Act of 1990 (7 U.S.C. 6501 et seq.) in order for such products to be sold or labeled as organically produced under this title.

*“Natural”* means present in or produced by nature; nonsynthetic.

*“Organic agriculture”* means a holistic production management system which promotes and enhances agro-ecosystem health, including biodiversity, biological cycles and soil biological activity; emphasizes the use of management practices over the use of off-farm inputs; and utilizes cultural, biological and mechanical methods as opposed to synthetic materials.

*“Organically produced”* means an agricultural product that is produced and handled in accordance with Iowa Code chapter 190C and this chapter.

*“Organic good manufacturing practices”* means practices which are followed by processors and handlers of organic food products.

*“Organic integrity”* means the inherent qualities of an organic product which are obtained through adherence to organic standards at the production level, and which must be maintained from production to the point of final sale in accordance with organic standards, in order for the final product to be labeled or marketed as organic.

*“Organic plan”* means a written plan for management of an organic crop, livestock, wild harvest, processing or handling operation that has been agreed to by the operator and the certification agency which specifies the steps necessary for the operation to be in compliance with organic standards.

*“Packaging”* means materials used to wrap, cover or contain an agricultural product.

*“Packer”* means an operation which receives raw agricultural products and packs the products for shipping.

*“Parallel production”* means the simultaneous production, processing or handling of organic and nonorganic (including transitional) crops, livestock and other agricultural products of the same or similar (indistinguishable) varieties.

*“Parasiticide”* means a substance or compound used to kill parasites, either internal or external.

*“Perennial crop”* means any crop that can be harvested from the same planting for more than one crop year, or that requires at least one year after planting before harvest.

*“Person”* means an individual, group of individuals, corporation, association, organization, cooperative or other entity.

*“Pest”* means an injurious or unwanted plant or animal.

*“Pesticide”* means any substance which alone, in chemical combination, or in any formulation with one or more substances, is defined as a pesticide in the Federal Insecticide, Fungicide and Rodenticide Act (7 U.S.C. 136 et seq.).

*“Planting stock”* means any plant or plant tissue, including rhizomes, shoots, leaf or stem cuttings, roots or tubers used in plant production or propagation.

*“Processing”* means cooking, baking, heating, drying, mixing, grinding, churning, separating, extracting, cutting, fermenting, eviscerating, dehydrating, freezing, or otherwise manufacturing and includes the packaging, canning, jarring or otherwise enclosing of food in a container.

*“Processing/on-farm”* means the processing of organic agricultural products at the same location where they were produced.

*“Processor”* means a company which cooks, bakes, heats, dries, mixes, grinds, churns, separates, extracts, cuts, ferments, eviscerates, preserves, dehydrates, freezes, otherwise manufactures, packages, cans, jars, or otherwise encloses food in a container.

*“Producer”* means a person who engages in the business of growing or producing food or feed.

*“Production”* means all operations undertaken to grow or raise agricultural products on the farm, including initial packaging and labeling of the product.

*“Prohibited”* means a substance or practice which is not allowed to be used in any aspect of organic production, processing or handling.

*“Records”* means any information in written, visual or electronic form that documents the activities undertaken by producers, processors, and handlers demonstrating compliance with organic standard requirements.

*“Repacker”* means a company which receives products from growers or other sources, removes the products from the original container, may or may not sort the product, and repacks the product for re-sale either in the original container or in a different container.

*“Residue testing”* means a test used to verify the presence of a specified level of a substance.

*“Restricted (regulated)”* means substances or practices which may be used by organic farm and handling operations only by following prescribed variances, such as prior approval by the certification agency.

*“Row crops”* means crops planted and grown in rows for intensive summer production including, but not limited to, corn, soybeans, sorghum, or sugar beets, primarily destined for livestock or processing for human consumption.

*“Sanitize”* means to adequately treat food-contact surfaces by a process that is effective in destroying vegetative cells of microorganisms of public health significance, and in substantially reducing numbers of other undesirable microorganisms, but without adversely affecting the product or integrity of the organic food.

*“Seedling - organic”* means an annual seedling grown using organic methods and transplanted to raise an organic agricultural product.

*“Slaughter stock”* means any animal that is intended to be slaughtered for human consumption.

*“Sludge (biosolids)”* means semisolid residuals produced by municipal wastewater treatment processes.

*“Soil amendment”* means a substance applied to the soil to improve physical qualities or biological activity; complement or increase soil organic matter content; or complement or adjust a soil nutrient level.

*“Split operation”* means an operation that produces or handles nonorganic agricultural products in addition to agricultural products produced organically.

*“Suspension of certification”* means an action taken by a certification agency that results in the loss of ability of a farm, wild crop harvesting, processing or handling operation to market its products as organic.

*“Synthetic”* means a substance that is formulated or manufactured by a chemical process or by a process that chemically changes a substance extracted from naturally occurring plant, animal or mineral sources, except that such term shall not apply to substances created by naturally occurring biological processes.

*“Treated”* means the application of an active synthetic substance to seeds, planting stock or other inputs used in farming.

*“Trucker”* means a handling operation which transports products between farms, processing plants, other handling operations, or other facilities. A trucker does not open product containers or mix, combine, or otherwise handle the product while it is in the trucker’s custody.

*“Untreated”* means seeds, planting stock or other inputs to which no active synthetic materials have been applied.

*“Vaccine”* means a diluted suspension of killed or live microorganisms, such as viruses or bacteria, incapable of inducing severe infection but capable when inoculated of counteracting the disease-causing organism.

*“Wild harvested”* means plants or portions of plants that are collected or harvested from defined areas of land which are maintained in a natural state and are not cultivated or otherwise managed.

## STATE CERTIFICATION PROGRAM

**21—47.3(190C) State certification agent.** The department shall serve as certification agent on behalf of and as authorized by the secretary of agriculture pursuant to the authority of Iowa Code section 190C.4(2).

**47.3(1) Certificate.** The department shall issue a certificate verifying compliance with Iowa Code chapter 190C and this chapter to applicants of the state organic certification program that have been approved for certification, according to Iowa Code chapter 190C and this chapter, by the organic standards board and have paid required fees.

**47.3(2) Expiration of certification.** Certification will expire one year from date of issuance pursuant to Iowa Code section 190C.13(1)“a.” A temporary extension of certification may be granted as deemed necessary by the department for a period not to exceed 90 days.

**47.3(3) General certification requirements.** In order to receive and maintain state organic certification from the department, producers, processors and handlers of organic agricultural products must apply for organic certification with the department and submit all required materials, comply with Iowa Code chapter 190C and this chapter, permit the department to access the operation and all applicable records as deemed necessary, comply with all local, state and federal regulations applicable to the conduct of such business, submit all applicable fees to the department pursuant to Iowa Code section 190C.5(1) and this chapter, and receive approval for certification by the organic standards board.

**47.3(4) Application for state organic certification.**

*a.* Application for state certification shall be completed and submitted with required application materials and fees to the department on forms furnished by the department. Applications must be received by the deadline date as published by the department in the application packet. Applications submitted to the department after published deadline date may be charged a late fee, and processing of such applications may be subject to delays or the applications may not be processed at all.

*b.* The department pursuant to Iowa Code section 190C.13 shall review all applications including applicant's organic plan and inspection report. The department shall forward completed application materials to the organic standards board review committee.

**47.3(5) Organic plan.** Producers, processors or handlers seeking organic certification from the department shall submit an organic plan to the department.

*a.* The organic plan must:

(1) Be agreed to by the operator and the department pursuant to Iowa Code section 190C.12(2)“c”;

(2) Address and meet the requirements of Iowa Code chapter 190C and this chapter;

(3) Include methods used and those intended for use to ensure that the agricultural products are produced, handled, and processed according to requirements established by the department pursuant to Iowa Code chapter 190C and this chapter; and

(4) Be implemented and updated annually.

*b.* The department shall be informed of changes to the organic plan which may affect the conformity of the operation to the certification standards at any time during the certification process and after such certification is granted.

**47.3(6) Inspections.** The department, pursuant to Iowa Code section 190C.4(1)“a” and this chapter, shall provide annual inspections of operations seeking state organic certification as the secretary's authorized agent pursuant to the authority of Iowa Code section 190C.4(2). The inspector shall write and submit to the department a report of findings.

**47.3(7) Records.** Records shall be maintained according to subrule 47.5(1).

**47.3(8) Certification review committee.**

*a.* The certification review committee shall be composed of five board members, with the remaining members serving as alternates. Positions shall be representative of the total make-up of the board.

b. The certification review committee members shall not have a personal or professional interest in the result of the applicant's request for certification. A member having an interest shall not participate in any action of the certification review committee relating to the application. The certification review committee's procedures shall be reviewed as deemed necessary by the department.

c. The certification review committee members shall serve two-year staggered terms.

d. If deemed necessary, a second certification review committee shall be established under these same guidelines.

**47.3(9) *Certificate of compliance.***

a. The department shall provide to the successful applicant an official certificate recognizing compliance with Iowa Code chapter 190C and this chapter.

b. The state-certified party shall use certification only to indicate that products are certified as being produced, processed and handled in conformity with the standards promulgated in Iowa Code chapter 190C and this chapter.

c. The state-certified party shall not use its state organic certification status in such a way as to bring the department into disrepute and shall not make any statement regarding such certification in a way that the department may consider misleading or unauthorized.

d. The state-certified party shall inform the department of any changes in the organic plan, such as production changes, or intended modification to the product(s) or manufacturing process which may affect the conformity of the operation to the certification standards. If such is the case, the certified party may not be allowed to release such products as certified organic bearing the state seal until the department has given approval to do so.

**47.3(10) *Use of state seal.*** For the promotion or sale of organic products, only those producers, handlers and processors certified as organic by the department are entitled to utilize the state seal attesting to state of Iowa organic certification. In addition, the statement "Produced (processed if processor) in accordance with the State of Iowa Organic Agricultural Products Act of 1998" may only be used on the label by state-certified operations. The seal and statement may be used together on the same label or either one may be used by itself. The seal and statement shall not be changed except to increase or decrease size as necessary. Where a party maintains organic certification with a private certification agency and additionally with the department, the private certification agency's certification seal may appear on the same label with the state of Iowa certification seal.

**47.3(11) *Transfer of organic product.*** A certified operator, selling a quantity of organic agricultural product, shall document, according to department policy as approved by the board, that the product being sold originated from the certified operation. The document shall be maintained as part of required record keeping.

**47.3(12) *Testing.*** Residue testing may be conducted by the department in the case of complaint, suspected contamination, or suspected fraud. The party in control of the site being tested shall pay the department for the cost incurred from testing only if residue is confirmed. Cost of negative test results shall be paid by the department.

**47.3(13) *Fees.*** Fees are established for application, inspection, and certification to support costs associated with activities necessary to administer this program pursuant to Iowa Code sections 190C.5(1) to 190C.5(3). The applicant shall submit all three fees to the department for the specific amount and at the appropriate time as specified in this rule.

a. *Application fee.* A fee of \$50 shall accompany the application for certification. An additional late fee of \$25 shall accompany renewal applications submitted after the published deadline date.

b. *Inspection fee.*

(1) The inspection fee shall be submitted before the inspection but only after the application has been reviewed and found to qualify for an inspection. This fee covers the cost of providing the inspection. If the actual cost of the inspection exceeds the amount, the applicant shall be required to pay the balance.

(2) Schedule of inspection fees.



1. On-farm producer inspection fee of \$175 shall be paid by all production operations or combination of production operations.

2. On-farm-processing inspection fee of \$100 shall be paid by production operations seeking certification of product-related processing operation. Simple washing, drying and packaging shall not constitute processing for purposes of fee assessment.

3. An inspection fee of \$300 shall be paid by processor, handler and broker operations.

c. *Certification fees.*

(1) Certification fees may be adjusted annually pursuant to Iowa Code section 190C.5(2). The certification fee provides the operation with one year of state organic certification. Crops certified but not sold during the year of certification may be sold as certified as long as storage and handling of such crops are maintained according to Iowa Code chapter 190C and this chapter. The certification year shall begin the date that certification is granted.

(2) Certification fees shall be paid in addition to the application fee and inspection fee. Certification fees are due and payable after certification is granted to the applicant. Fees may be paid quarterly, biennially or annually. No transaction certificate will be issued if payments are delinquent.

(3) *Schedule of certification fees.*

1. Vegetables, herbs and spice crops—field production. Vegetables, herbs and spice crops are assessed a fee of \$25 per acre with a minimum of a ½-acre plot size. Production area shall include actual production acres.

2. Vegetables, herbs and spice crops—greenhouse production.

Less than 1,000 square feet	\$20
1,001 to 3,000 square feet	\$40
3,001 to 5,000 square feet	\$60
Each additional 2,000 square feet	\$20

3. Tree crops. Fees are assessed on a per acre basis.

Fruit and nut crops	\$15
---------------------	------

4. Farm crops. Fees are assessed on a per acre basis for each harvested crop. Green manure crops are not assessed.

All corn varieties	\$2.50
Soybeans	\$4.00
Small grains	\$1.00
Forage	\$ .50
Other crops	\$1.20

5. Dairy, livestock and poultry. Livestock requiring assessment shall include all breeding stock and produced stock for the year unless otherwise stated. If all progeny are not born at the time of inspection, an estimate shall be used. Purchased stock, whether breeding or feeder stock, shall be assessed when the transaction certificate is issued. Fees are assessed on a per head basis for larger species and a per hundred head basis for smaller species.

Livestock - Dairy (fees are assessed only on animals in production)

Cattle	\$10.00
Goats	\$ 1.00
Sheep	\$ 1.00

Livestock

Beef, buffalo, ratites and dairy heifers	\$ 1.00
Swine	\$ .25
Sheep and goats	\$ .25
Poultry (per 100)	
Slaughter chickens	\$ 1.00
Slaughter turkeys	\$ 5.00
Layers	\$10.00

6. Apiculture. Fees are assessed on a per colony basis.
 

Each colony	\$.50
-------------	-------
7. Aquaculture.
 

Brood stock	\$.50 per head
Eggs through stockers	.25 per thousand head
Food size and above	.05 per 100 pounds
8. On-farm processing. This fee schedule shall apply to those operations processing products within the farm unit. Fees are based on gross organic sales from previous year or the projected estimated gross organic sales if first year of organic sales.
 

Estimated sales	
\$0 - \$100,000	\$100
\$100,001 - \$250,000	\$250
\$250,001 - \$500,000	\$500
\$500,001+	Refer to processor fee schedule.
9. Processor. Fees are based on gross organic sales from previous year or the projected estimated gross organic sales if first year of organic sales.
 

Estimated sales	
\$0 - \$250,000	\$ 250
\$250,001 - \$500,000	\$ 500
\$500,001 - \$1 million	\$1,000
\$1,000,001 - \$2 million	\$2,000
\$2,000,001 - \$3 million	\$3,000
Each additional million	\$1,000

**21—47.4(190C) Regional organic associations (ROAs).** With approval by the board, the department may register and authorize a regional organic association to assist the organic standards board by providing application assistance to its members requesting application assistance.

**47.4(1) Registration and authorization.** Regional organic associations must be registered and authorized by the department in order to assist the organic standards board pursuant to Iowa Code section 190C.6.

- a. *Registration.* To register with the department, the regional organic association must:
  - (1) Maintain a minimum of 25 members;
  - (2) Sign and submit to the department a regional organic association declaration as provided by the department;
  - (3) Submit, to the department, bylaws and ongoing changes to the bylaws;
  - (4) Submit verification of regional organic association liability insurance; and
  - (5) Successfully register annually with the department.
- b. *Authorization.* For authorization to be granted, the following requirements must be met:
  - (1) The regional association shall sign a memorandum of understanding with the department specifying functions to be performed by the association related to application assistance; and
  - (2) The regional association shall receive from the department a letter of authorization to provide application assistance upon approval by the organic standards board.

**47.4(2) Functions.**

- a. ROAs, reviewing member application materials for submission to the department, may:
  - (1) Provide to the department and the board a summary of the member's application;
  - (2) Identify any unresolved shortcomings in the application; and
  - (3) Indicate if the application appears to meet the Iowa organic standards promulgated in Iowa Code chapter 190C and this chapter.
- b. Requirements.

(1) Application assistance provided by ROAs shall be conducted by association staff or association board members; and

(2) Application materials received by the ROA for submission to the department shall be forwarded along with the summary to the department. The application fee for state organic certification shall be paid with a check made payable to the department by the individual member applying for state certification. The check shall be submitted with the application.

**47.4(3) Prohibited.**

a. ROA staff or ROA board members providing application assistance for their members shall have no personal or commercial interest in the outcome of a member's application for state certification.

b. ROAs shall not amend member documents prior to submitting them to the department.

CERTIFICATION REQUIREMENTS IN IOWA

**21—47.5(190C) Organic certification.** Producers of agricultural products that are labeled, sold, or advertised as organic in the state of Iowa, and handlers who take legal title and process agricultural products that are labeled, sold, or advertised as organic in the state of Iowa must be certified, unless otherwise stated in this chapter, by the department or an accredited private certification agency as defined in rule 47.2(190C) and must comply with Iowa Code chapter 190C and this chapter.

Parties certified by a private certification agency are not required to certify additionally with the department. However, individuals seeking certification only from a private certification agency are not relieved from the responsibility to understand and comply with Iowa Code chapter 190C and this chapter. In any instance, where a particular organic standard held by a private certification agency differs from a standard held by the state, the operator must comply with the state standard if it is more stringent.

**47.5(1) Records.**

a. Records shall include, but not be limited to, documentation of inputs, practices and procedures utilized in the production, processing and handling of organic agricultural products as well as yield, storage and sales information. Additional records may be required as deemed necessary by the department to determine compliance with Iowa Code chapter 190C and this chapter.

b. Records and inventory control procedures must be detailed enough to trace all raw materials from the supplier, through the entire plant process, and on through the distribution system to the retailer, using lot numbers, date codes or a similar product tracking system.

c. Records must be maintained for five years and be made available to the department upon request.

d. The certified party shall keep a record of all complaints made known to that party relating to a product's compliance with requirements to the relevant standard and to make these records available to the department upon request. The certified party shall take appropriate action with respect to such complaints and any deficiencies found in products or services that affect compliance with the requirements for certification, and all such actions shall be documented and available upon request by the department.

e. Records of inputs applied to nonorganic fields or livestock in split or parallel operations must be maintained and made available during inspections. This applies to all fields in the operation whether leased or owned.

**47.5(2) Private certification agencies.** Accredited private certification agencies as defined in rule 47.2(190C) are recognized by the department as providers of organic certification in the state.

a. Certification standards utilized by such agencies to certify Iowa producers, processors and handlers shall not be in violation of Iowa Code chapter 190C and this chapter.

b. A memorandum-of-understanding document, available from the department, shall be signed by the private certification agency intending to provide organic certification services in the state and submitted to the department.

**47.5(3) Document review.** Parties who have attained organic certification from a private certification agency may at a later date during that same year request the department to provide a document review. The document review shall be limited to a specific quantity of product for the purpose of attaining the state organic seal for that sale only. All application records and the inspector's report must be submitted to the department from the private certification agency at the request of the certified party. The department and organic standards board shall review this request only after a copy of the party's organic certificate has been received by the department from the private certification agency under which organic certification has been attained. The department may inspect the organic products in question and any facet of the operation in addition to collecting various samples for analysis if deemed necessary. Document review approval shall result in the issuance of a state certification seal from the department only for the specific quantity for which the review was sought. A fee shall be charged to the party requesting the review and the fee shall be paid to the department prior to the issuance of the state certification seal.

**47.5(4) Source of certified inputs.**

*a. In-state source.* Inputs that are certified by a private certification agency holding a memorandum of understanding with the department may be used in the production of crops, livestock and processed products without prior approval from the department.

*b. Out-of-state source.* Inputs that are obtained from out-of-state sources but within the United States shall be certified organic by certification agencies holding a memorandum of understanding with the department or be accredited by the USDA, pursuant to the Organic Foods Production Act of 1990 (7 U.S.C. 6501 et seq.), upon implementation of the National Organic Program. Until the National Organic Program is implemented, the approval of out-of-state certified organic inputs shall be reviewed prior to use by the department and the board on a case-by-case basis.

*c. Source outside the United States.* Inputs obtained from sources residing outside the United States must at minimum meet the requirements of the Organic Foods Production Act of 1990, shall be certified by a certification agency and shall be reviewed for approval on a case-by-case basis.

*d. Records of the source and use of such inputs shall be maintained.*

**47.5(5) Inspections.**

*a. Scheduled.* Producers, processors and handlers applying for organic certification must be verified annually through an on-site inspection and comprehensive review of the operation by an accredited certification agency. Individuals seeking certification shall make all necessary accommodations for the conduct of the evaluation, including provision for examining records and access to all areas, and personnel for the purposes of evaluation and resolution of complaints. The evaluation may include, but is not limited to, testing, inspection, assessment, surveillance, and reassessment.

*b. Unscheduled.* All parties making an organic claim may be subject to an unscheduled on-site inspection, review of records and sampling if deemed necessary by the department pursuant to Iowa Code sections 190C.4(2), 190C.22(2) and 190C.22(3) to verify compliance.

**47.5(6) Organic label.** All organic products produced, processed and labeled in Iowa must meet applicable state and federal labeling regulations and organic standards as promulgated in Iowa Code chapter 190C and this chapter.

**47.5(7) Enforcement and investigations.** The department and the attorney general shall enforce Iowa Code chapter 190C and this chapter pursuant to Iowa Code section 190C.21.

**47.5(8) Complaints.** Any person may submit a written complaint to the department regarding a suspected violation of Iowa Code chapter 190C and this chapter pursuant to Iowa Code section 190C.22(2). Such signed complaints shall be submitted on the required form provided by the department upon request.

**47.5(9) *Disciplinary action.*** Intentional fraud or inadvertent violation of Iowa Code chapter 190C and this chapter may result in suspension of certification or decertification. If inadvertent violations are not corrected as required by the certification agency or in the case of suspected fraud, and the fraudulent activities are substantiated, the operation may be decertified. Upon suspension, the certified party must discontinue the use of all labels or advertising materials that contain any reference to organic certification. In addition, in the case of decertification, the decertified party shall return the organic certificate to the certification agency.

**47.5(10) *Appeals.*** Appeal procedures are established pursuant to Iowa Code section 190C.3(6) under 21—Chapter 2. The organic standards board shall have final agency action, subject to the parameters of Iowa Code chapter 17A. The appeals committee shall be comprised of board members who did not serve on the certification review committee for the particular case in question and shall have no conflict of interest in the matter. Procedures and restrictions concerning the hearing of appeals shall apply.

*a. Written appeal.* Except as specifically provided in the Iowa Code or elsewhere in the Iowa Administrative Code, a person who wishes to appeal an action or proposed action of the department which adversely affects the person shall file a written appeal with the department within 30 calendar days of the action or notice of the intended action. A written notice of appeal shall be considered filed on the date of the postmark if the notice is mailed. The failure to file timely shall be deemed a waiver of the right to appeal. Appeal will first go to the certification review committee. The certification review committee will determine if the party's claim has sufficient merit to overturn the earlier denial in a timely manner. If this is not the case, however, the appeal will be forwarded from the certification review committee to the appeals committee.

*b. Records.* Records of all appeals, complaints and disputes, and remedial actions relative to certification shall be maintained by the department for a minimum of ten years. Records shall include documentation of appropriate subsequent action taken and its effectiveness.

**47.5(11) *Parties exempted from organic certification.***

*a. Exempted parties.*

(1) A person who receives \$5000 or less in annual gross income from the sale of agricultural products shall be exempt from fees and mandatory organic certification.

(2) Final retailers of agricultural products who do not process agricultural products are exempted from organic certification in the state of Iowa. Handlers who do not process agricultural products are exempt from certification.

*b. The exempted producer or handler selling agricultural products as organic shall demonstrate compliance with Iowa Code chapter 190C and this chapter by implementation and documentation of the following measures:*

(1) Submit to the department a signed Exempt Party Declaration form, as provided by the department, attesting to knowledge of and compliance with Iowa Code chapter 190C and this chapter;

(2) Submit a \$10 processing fee with the declaration to the department;

(3) Maintain records adequate to verify compliance and trace an organic product from production site to sale for consumption. Records must be kept for five years.

## ORGANIC STANDARDS

### **21—47.6(190C) Crops.**

**47.6(1) *Crop production requirements.*** Prohibited materials, including prohibited fertilizers and pesticides, may not be used in the production of organic crops pursuant to Iowa Code chapter 190C and this chapter.

**47.6(2) Inputs.**

a. All natural materials used in the production of organic agricultural products are permitted except those listed as prohibited on the National List or otherwise prohibited or regulated by Iowa Code sections 200.5 and 206.12 and this chapter.

b. Synthetic materials are prohibited except if listed as allowed on the National List.

c. Genetically modified crops are prohibited in organic crop production.

**47.6(3) Split operations.** Split operations shall be allowed but segregation plans and applicable logs must be followed and documented for organic and nonorganic crops. The operation must maintain, but not be limited to, the following documents and logs addressing the following procedures: cleaning, spraying, purging, separate storage and separate transportation. Appropriate physical facilities, machinery and management practices shall be established to prevent commingling of nonorganic and organic products or contamination by prohibited substances.

**47.6(4) Buffer zone.**

a. *Requirements.*

(1) Buffer zones, a minimum of 30 feet, must be maintained between certified organic crops and areas treated with prohibited substances. A vegetative solid-stand windbreak a minimum of 15 feet tall may be substituted for a 30-foot buffer zone.

(2) If crops are grown in this buffer zone, such crops shall not be labeled, sold or in any way represented as organic.

(3) Crops harvested from buffer zones shall be kept separate from organic crops, and appropriate designated storage areas shall be clearly identified and records maintained to sufficiently identify the disposition of nonorganic product.

b. *Recommendations.*

(1) Planting of windbreaks and hedgerows is encouraged to help reduce spray drift from neighboring farms and wind damage to crops.

(2) The producer should notify neighbors, county roadside management officials, railroads, utility companies and other potential sources of contaminants. The producer should provide such individuals with maps of organic production areas, request individuals not to spray adjacent areas, and request to be informed if prohibited materials are applied to land adjacent to organic production areas.

**47.6(5) Testing.** Residue testing shall be conducted by the certification agency or its representative in the case of probable contamination.

**47.6(6) Drift.**

a. The department's organic agriculture bureau shall be notified by the party in control of the site of suspected pesticide drift incidences onto certified organic land or land which is under consideration for organic certification. The department may require residue testing to make a determination regarding certification.

b. In the case of drift, the affected party may file a complaint under Iowa Code section 206.14 with the department's pesticide bureau.

**47.6(7) Runoff and flooding.** Records must be kept regarding land that is subject to runoff or flooding. The department may require testing to make a determination regarding certification.

**47.6(8) Conversion to organic.** There shall be no use of prohibited materials for three years prior to the harvest of the first organic crop pursuant to Iowa Code section 190C.12(2) "b" and this chapter.

**47.6(9) Organic farm plan.**

a. *Requirements.*

(1) Producers of organic agricultural products, including wild crops and specialty crops, shall complete and submit an organic farm plan to the certification agency.

(2) The organic farm plan must be approved by the certification agency and updated annually.

(3) The certification agent shall be notified of all changes to the organic farm plan.

(4) The organic farm plan must address the key elements of organic crop production: soil and crop management, resource management, crop protection, and maintaining organic integrity through growing, harvesting, and postharvest operations.

(5) The plan must list total acreage of the operation and the types of crops grown, a history of crop practices and inputs, and current and intended practices.

(6) The plan shall include a description of practices that provide physical barriers, diversion of runoff, buffer areas, notification of neighbors, posting of borders or other means to prevent the application of prohibited substances to the land on which organically produced crops are grown.

(7) The producer shall submit the organic farm plan questionnaire provided by the certification agent and include adequate maps of all parcels farmed under the producer's control, with five-year histories of all parcels. The maps shall identify plots or fields by identification number and acreage size.

(8) The questionnaire shall be used to report methods and materials planned for use in the production of organic products.

(9) The applicant shall specify conversion plans for nonorganic fields in transition to organic including a rotation or land use plan for the upcoming three years.

(10) Adjoining land shall be identified and nonorganic or organic practices of the adjoining party noted.

*b. Recommendations.*

(1) A commitment to long-term soil improvement and fertility and protection from soil loss should be reflected in the plan; for example, winter cover crops are recommended.

(2) Postharvest procedures, and handling and storage equipment should be addressed.

**47.6(10) Biological diversity.** Biological diversity should be established, maintained and enhanced through the use of practices that are appropriate to the site and type of operation. Where possible and practical, preservation of nonagricultural areas, such as hedgerows, native prairies, wetlands and woodlands, is encouraged.

**47.6(11) Rotations.** For the production of annual crops, rotations are required for soil improvement, and disruption of weeds, insects, diseases and nematodes. A crop rotation including, but not limited to, sod, legumes, or other nitrogen fixing plants, and green manure crops shall be established. An approved crop rotation must be used from the start of transition to certified organic.

*a. Annuals.*

(1) Agronomic row crops. The same annual crop shall not be planted on the same field for more than four years out of a six-year period.

EXEMPTION: A four-year out of five-year rotation is permitted if a viable legume green manure has been incorporated during the five-year rotation.

(2) Horticultural crops. The same annual crop shall not be planted on the same field for more than four years out of a five-year period.

*b. Perennials.* Perennial systems shall include a plan for biodiversity in the system, including the use of cover crops, mulches, or grass cover. At the end of a perennial crop life cycle that exceeds four years, an annual cover crop must be planted, prior to planting another perennial crop. Replacement of individual stock is permitted without following replaced individual stock with a cover crop. For a perennial crop with a life cycle of less than four years, a cover crop must be planted at least once every five years. Permanent pastures are exempt from rotation standards.

*c. Exemption.* Rotation of crops may be affected by weather and other unforeseen circumstances. In the case where such circumstances cause a rotation to be out of compliance with this rule, the new rotation plan shall be approved by the certification agency prior to the implementation of the proposed changes.

**47.6(12) Tillage and cultivation.** Tillage and cultivation implements and practices shall be selected and used in a manner that does not result in long-term degradation of soil physical quality or result in excessive erosion.

**47.6(13) Soil fertility and crop nutrient management.** Plant or animal materials may be used to replenish soil organic matter content, provide essential crop nutrients and enhance soil biological activity. Plant or animal materials shall be used in a manner that does not significantly contribute to water contamination or soil contamination or degradation. It is recommended that plant and animal materials be attained from an organic source if possible. If unavailable, such materials may be attained from a nonorganic source. Nonorganic animal materials should be composted, if possible; otherwise, treated as raw manure.

*a. Compost.* The use of compost is permitted. Manure which has been composted shall not be subject to the raw manure restrictions stated in this rule. This may be achieved by composting for a minimum of six weeks, during which compost piles are managed so that they reach 140 degrees F for a minimum of three days.

*b. Raw manure.* To avoid runoff, raw manure should not be applied when the soil is saturated, frozen or covered with snow. Raw manure must be applied at least 120 days prior to harvest for crops grown for direct human consumption except for tree crops and crops of which the edible portion is covered by a husk, pod or shell, in which case raw manure could be applied up to 90 days prior to harvest.

*c. Amendments.* All natural substances are permitted except those listed as prohibited on the National List. Synthetic substances are prohibited except if listed as allowed on the National List.

*d. Mulch.* The use of plant materials as mulch is permitted. Plastic or synthetic mulch is permitted only if the mulch is completely removed from the field and properly stored or disposed in proper facilities at the end of each growing or harvest season. Plastic mulch that photo-degrades is prohibited.

**47.6(14) Seeds, seedlings and plant stock.**

*a. Annuals.* Organically produced seeds and planting stock, including annual seedlings, transplants, bulbs, and tubers, shall be used, except that:

(1) Nonorganically produced seeds, bulbs, and tubers may be used to produce an organic crop when an equivalent organically produced variety is commercially unavailable, with the exception of seeds used for sprouts, which must be organic.

(2) Treated seeds, bulbs, and tubers are allowed only when untreated seeds of the same variety are documented as commercially unavailable, required by phytosanitary regulations, or unanticipated or emergency circumstances make it unfeasible to obtain untreated seeds or other annual planting stock. Pelletized seed is allowed unless it contains prohibited substances.

(3) Nonorganically produced annual seedlings and transplants are allowed only in cases where organic seedlings or planting stock has been destroyed by a natural disaster or other unanticipated circumstances. Such an emergency shall be documented.

*b. Perennials.* Nonorganic produced planting stock may be used as planting stock to produce a perennial crop which may be sold, labeled, or represented as organically produced only after the planting stock has been maintained under a system of organic management on a certified organic farm for a period of no less than one year.

*c. Prohibited.*

(1) All genetically engineered seeds, seedlings, and planting stock are prohibited.

(2) Plastic polymer pelletization of seed is prohibited.

**47.6(15) Pest management.** The prevention or control of pests, weeds and diseases in crops may include, but not be limited to, crop rotation, soil fertility management practices, sanitation methods, cultural practices, seed and plant selection, mulch, beneficial insects, mechanical or physical controls, traps, lures, mating disruption and repellants. All materials used for pest management shall meet the following conditions:

1. Natural substances are permitted except those listed as prohibited on the National List; and

2. Synthetic substances are prohibited except if listed as allowed on the National List.

The anticipated practices to prevent or control pests, weeds and diseases shall be described in the organic farm plan. A follow-up plan shall be maintained to document actual practices used.



**47.6(16) Water.**

*a. Irrigation.* Prohibited materials shall not be added to irrigation water. Crops grown using water that is suspected of containing prohibited materials resulting from unavoidable residual environmental contamination shall be tested, and test results will be used in making a determination regarding certification. Prohibited substances cannot be used to clean irrigation systems.

*b. Postharvest handling.* Water used to wash crops must meet criteria of the Safe Drinking Water Act. Chlorine use shall not exceed maximum residual disinfectant limit so established at 4 mg/L.

**47.6(17) Specialty crops.**

*a. Greenhouse production.* Greenhouses operated as in-ground or permanent soil systems or bench systems are permitted and shall comply with Iowa Code chapter 190C and this chapter including the use of materials for pest management, rooting hormones and plant production, which must be listed as allowed on the National List. Potting soils, soil receptacles, water and greenhouse structural materials shall not contain prohibited materials. Plants and soil shall not come into contact with soils treated with prohibited substances. Light sources for greenhouses may be natural or artificial.

*b. Mushrooms.* Organic mushrooms may be grown indoors or outdoors. Organic mushrooms shall be produced, harvested and handled according to Iowa Code chapter 190C and this chapter. All sources of spawn and substrate shall be documented. Noncomposted substrate shall be organically produced. Spawn may be cultured on nonorganic grain, but prohibited materials shall not be applied during spawn production.

*c. Sprouts.* Sprouts may be grown in soil or without soil. Seeds grown and sold as sprouts must be from an organic seed source. Water used for organic sprout production must meet criteria of the Safe Drinking Water Act. Chlorine use shall not exceed maximum residual disinfectant limit so established at 4 mg/L. Seed used for sprouts may be treated with the following materials and methods to prevent food-borne pathogens: heat, hydrogen peroxide and if required by applicable government agency, soaking in water solution of chlorine not to exceed 2000 mg/L, to be followed by a five-minute rinse in potable water.

**21—47.7(190C) Livestock.**

**47.7(1) Organic livestock production requirements.** Prohibited materials may not be used in the production of livestock and livestock products pursuant to Iowa Code chapter 190C and this chapter. All substances used in the production of livestock and livestock products must be certified organic and used in accordance with this chapter. Natural substances may be used unless listed as prohibited on the National List. Synthetic substances are prohibited except if listed as allowed on the National List.

**47.7(2) Prohibited.**

*a.* Genetically engineered organisms are prohibited in the breeding or production of organic livestock.

*b.* Livestock shall not be transferred between organic and nonorganic management for the purpose of circumventing any provision of Iowa Code chapter 190C and this chapter.

**47.7(3) Split operations.** Split operations shall be allowed, but segregation plans and applicable records must be followed and documented. All animals in both the nonorganic and organic herds shall be uniquely identified, and detailed records on the origin and production history of each animal must be kept. In poultry production, nonorganic and organic flocks must be kept in separate, clearly marked facilities. Each storage facility for feed, grain, or any other controlled input must be clearly marked “nonorganic” or “organic.” Appropriate physical facilities, machinery and management practices shall be established to prevent commingling of nonorganic livestock and livestock products with organic livestock and livestock products or contamination by prohibited substances.

**47.7(4) Pasture.**

*a. Requirement.* Pastures must be managed to minimize risk of contamination by prohibited substances.

*b. Recommendation.* The establishment of livestock fence located an appropriate distance inward from the pasture border to prevent border grazing or a solid-stand windbreak along the pasture border is recommended.

*c. Permissible.*

(1) Livestock may graze cropland buffer zones only if an entire field is opened to grazing, as when livestock are allowed to glean a field after harvest.

(2) Livestock may graze up to a pasture border only if no more than 10 percent of the total pasture, accessible for grazing, is contiguous to areas treated with prohibited substances. The contiguous area is calculated as 30 feet multiplied by the length of the pasture perimeter that borders an area treated with prohibited substances.

*d. Disqualification.* Evidence that the pasture has been contaminated with a prohibited substance shall lead to disqualification of that pasture. The livestock or offspring may be disqualified if allowed to continue to graze pasture that has been disqualified.

**47.7(5) Organic livestock plan.** Producers of organic livestock and livestock products shall complete and submit an organic livestock plan to the certification agency.

*a.* The organic livestock plan must be approved by the certification agency and updated annually.

*b.* The plan shall list number and type of livestock.

*c.* The plan shall include a description of practices implemented in the production of livestock related to origin of livestock, feed, supplements, pasture, shelter, water, health care, living conditions, physical alterations and reproduction.

*d.* The producer shall submit the organic livestock plan questionnaire provided by the certification agent. The producer shall submit adequate maps of areas and buildings used for livestock. The certification agent shall be notified of all substantial changes to the organic livestock plan.

**47.7(6) Origin of livestock.**

*a. Poultry.* Poultry from which meat or eggs will be sold as organic must be raised according to Iowa Code chapter 190C and this chapter beginning no later than the second day of life and from that point on.

*b. Slaughter stock and livestock used for the production of nonedible livestock products.* Such livestock must be raised according to Iowa Code chapter 190C and this chapter and must be the progeny of female breeder stock that has been under organic production methods from the last one-third of gestation.

*c. Dairy livestock: cows and other dairy livestock.* Dairy replacement stock must be raised according to Iowa Code chapter 190C and this chapter from the time such stock are brought onto an organic farm and for not less than 12 months immediately prior to the sale of milk or milk products from such stock labeled as organic.

**47.7(7) Feed requirements.**

*a.* All certified organic livestock shall be fed certified organically produced and handled feeds according to the animal's stage of production. Any feed or forage purchased off farm must be certified as meeting the requirements of Iowa Code chapter 190C and this chapter. Pasturelands on which livestock are grazed or pastured shall be certified, and the organic plan shall contain management measures designed to enhance soil fertility and rangeland health as approved by the certification agency.

*b.* Access to managed pasture shall be provided for ruminant animals. Exceptions shall only be allowed for:

(1) Inclement weather;

(2) Conditions where the health, safety or well-being of the animal or a person could be jeopardized;

(3) The protection of plant, soil or water quality; or

(4) Animal's stage of production.

*c.* When pasture is not available to ruminant animals for any of the above reasons, certified organic forage must be made available.

**47.7(8) Feed emergency.**

- a. To qualify for an emergency exemption from organic feed requirements, the operator must:
  - (1) Establish an emergency feed plan in the organic livestock plan;
  - (2) Document efforts made to obtain organic feed in advance of the depletion of feed reserves;
  - (3) Document that the feed emergency is regional in scope; and
  - (4) Receive approval from the certification agency.
- b. In the case of a feed emergency, the operator must notify the certification agency of the emergency and shall obtain feed based on the following order of preference:
  - (1) Certified organic feed;
  - (2) Noncertified organic feed;
  - (3) Feed grown under organic management for two years;
  - (4) Feed grown under organic management for one year;
  - (5) Nonorganic feed.
- c. Transitional or nonorganic feed should be fed first to animals furthest away in time from production of products intended to be sold as organic.

**47.7(9) Prohibited.** The following substances or methods are prohibited for the feeding of organic livestock:

- a. Any synthetic substance that is not listed as allowed on the National List for organic livestock production. Any natural substance listed as prohibited on the National List.
- b. The use of the following for the purpose of stimulating the growth or production of livestock is not allowed:
  - (1) Hormones or growth or production promoters whether implanted, injected, or administered orally;
  - (2) Antibiotics or other animal drugs; and
  - (3) Synthetic amino acid additives, vitamins or trace elements fed above levels needed for adequate nutrition.
- c. Plastic pellets for roughage.
- d. Manure re-feeding.
- e. Feed formulas containing urea.
- f. Any feed made from meal that has been extracted by the use of synthetic solvents, e.g., hexane.
- g. Medicated feeds and medicated milk replacers.
- h. Synthetic silage and forage preservatives.
- i. Livestock slaughter by-products fed to mammals.
- j. Genetically engineered organisms, including their derivatives, in feed, feed supplements or feed additives.

**47.7(10) Feed additives and supplements.**

- a. Feed additives fed to organic livestock shall meet the following requirements:
  - (1) Feed additives that are nonsynthetic shall be from any source, provided that the additive is not listed as prohibited on the National List;
  - (2) Synthetic feed additives must be listed as allowed for organic livestock on the National List;
  - (3) Any source of feed salt is allowed;
  - (4) Natural minerals, such as limestone, dolomite, marl, magnesium oxide, greensand and kelp are allowed; and
  - (5) Synthetic vitamins and trace elements, such as selenium, that are listed as approved for livestock on the National List may be fed to livestock under organic management only as necessary for the purpose of fulfilling the nutritional requirements of the livestock.
- b. Feed supplements fed to organic livestock shall be certified organically produced.

**47.7(11) *Livestock health care.*** Producers must maintain a production environment that promotes livestock health and limits livestock stress.

*a.* Organic livestock producers shall be required to take all necessary steps to maintain the health of their animals. This may include, but is not limited to:

- (1) Balanced, complete nutrition;
- (2) Selection and breeding of animals for resistance and immunity to disease;
- (3) Proper sanitation and hygiene;
- (4) Exercise, freedom of movement, and reduction of stress;
- (5) Pasture management;
- (6) Quarantine of incoming stock;
- (7) Vaccinations; and
- (8) Administration of veterinary biologics, vitamins and minerals.

*b.* Livestock producers are required to manage livestock to reduce the risk of parasite infestation through cultural and biological practices, which may include, but are not limited to:

- (1) Quarantine and fecal examination for all incoming stock;
- (2) Pasture rotation and management;
- (3) Periodic fecal examinations and culling seriously infested livestock;
- (4) Vector and intermediate host control;
- (5) Release of beneficial organisms; and
- (6) Natural dusting wallows for poultry.

*c.* In the event of sickness or infestation with parasites, organic producers are permitted to use the following:

- (1) Nonsynthetic substances that are not listed as prohibited on the National List; or
- (2) Synthetic substances that are listed as allowed for organic livestock production on the National List.

*d.* Any appropriate medication must be used to restore an animal to health when methods acceptable to organic production fail. If a prohibited material is used on an animal, that animal cannot be used thereafter for organic production or be sold, labeled or represented as organic until such animal meets requirements of Iowa Code chapter 190C and this chapter.

*e.* The following livestock health care substances and methods are prohibited:

(1) Any synthetic substance that is not listed as allowed for organic livestock production on the National List;

(2) Any natural substance that is listed as prohibited on the National List;

(3) Antibiotics; and

(4) Administration of any medication, other than vaccinations, in the absence of illness, including hormones for breeding purposes.

*f.* The action of a producer to withhold treatment to maintain the organic status of an animal which results in the otherwise avoidable suffering or death of an animal shall be grounds for decertification.

**47.7(12) *Living conditions.*** Certified organic livestock operations shall be based on a system that maximizes animal health and allows for the natural behavior of animals.

*a.* Such a production environment must include the following:

(1) Access to shade, shelter, water, fresh air, the outdoors, and direct sunlight suitable to the species, the stage of production, the climate, and the environment;

(2) Adequate clean and dry bedding, appropriate to the husbandry system, provided that if the bedding is typically consumed by the animal species, it complies with the organic feed standard; and

(3) A housing design which provides for an animal's natural maintenance, comfort behaviors and the opportunity to exercise; temperature levels, ventilation and air circulation suitable to the species; the reduction of potential for livestock injury; and free access to a floor surface that is predominantly grass, shavings, dirt or other nonartificial bedding.

b. Proper livestock health management may include periods of time when livestock are housed indoors. Temporary indoor housing may be justified for:

- (1) Inclement weather;
- (2) Conditions where the health, safety or well-being of the animal or persons could be jeopardized;
- (3) The protection of plant, soil or water quality; or
- (4) Animal's stage of production.

c. The following living conditions are prohibited for organic production:

- (1) Continuous confinement; and
- (2) Cages for poultry.

**47.7(13) Manure management.** Manure management practices used to maintain any area in which livestock are housed, pastured or penned shall be implemented in a manner that:

a. Minimizes soil and water degradation;

b. Does not significantly contribute to contamination of water by nitrate and bacteria, including human pathogens;

c. Optimizes recycling of nutrients; and

d. Does not include burning or any practice inconsistent with organic standards.

**47.7(14) Physical alterations.** Physical alterations must be conducted for the animal's ultimate benefit or identification, and these practices shall be administered in ways that minimize pain and stress.

a. *Restricted.* Beak trimming of poultry may be done only if the following conditions are met:

- (1) Beak trimming may be done no later than ten days after hatching;
- (2) No more than one-third of the beak may be removed;
- (3) Beak trimming may be done only for protection of the flock; and
- (4) Beak trimming may be done only in conjunction with good organic management practices as defined by these standards.

b. *Prohibited.* The following physical alterations are not allowed:

- (1) Tail cutting, with the exception of sheep;
- (2) Wing burning; and
- (3) Toe clipping of poultry.

**47.7(15) Reproduction.** Natural service is preferred. Artificial insemination is allowed. Embryo transfer and cloning are prohibited.

**47.7(16) Records.**

a. Records must be maintained which permit tracing the sources and numbers of all animals, and sources and amounts of all feeds, feed supplements, feed additives and medications.

b. Organic livestock must be traced from birth to slaughter.

c. Livestock health records which show all health problems and the practices and materials used for treatment must be maintained.

d. With the exception of poultry and other small animals, if animals are not individually identified by numbered tags, then each animal that is treated with a veterinary drug must be clearly identified with a tag that corresponds to a record of the material used and date of treatment.

e. Poultry or rabbits and other small animals that are not identified by individual tags are to be tracked by lots or other applicable units, wherein each animal has received the same inputs and treatment.

**47.7(17) Slaughter.**

a. Animal stress and accidental mortality must be minimized during loading, unloading, shipping, holding and slaughter.

b. Slaughter must occur under sanitary conditions and in accordance with all applicable federal and state laws and regulations.

c. Organic animals and animal products must be clearly identified and segregated to prevent commingling with nonorganic animals and animal products.

**21—47.8(190C) Apiculture.** Honey and other bee products may be labeled, promoted and sold as organic if the operation is certified organic according to Iowa Code chapter 190C and this chapter, particularly standards as promulgated in this rule. In addition, all practices shall be in compliance with Iowa Code chapter 160 and 21—Chapter 22.

**47.8(1) *Organic apiculture plan.*** Producers of organic bee products shall complete and submit an organic apiculture plan to the certification agency.

- a. The organic apiculture plan must be approved by the certification agency and updated annually.
- b. The plan shall list number and location of colonies.
- c. The plan shall include a description of practices implemented in the production of beehive products related to origin of colony, feed, water availability and health care.
- d. The producer shall submit the organic apiculture plan questionnaire provided by the certification agent and include adequate maps of areas and buildings used for beehives. The certification agent shall be notified of all substantial changes to the organic apiculture plan.

**47.8(2) *Feed requirements.***

- a. Colonies shall be given supplemental feeding when needed, but feeding is prohibited when honey supers are in place.
- b. Feeding of colonies to build food reserves for the winter may be undertaken. Such feeding must be carried out between the last honey harvest and prior to the next surplus honey flow.
- c. Supplemental feed should be derived from organic honey or organic sugar syrup.
- d. Bees from which organic honey and other products are harvested shall have access to forage produced in accordance with Iowa Code chapter 190C and this chapter.

**47.8(3) *Prohibited.***

- a. All synthetic substances except if listed as allowed on the National List.
- b. Natural substances listed as prohibited on the National List.
- c. Antibiotics and sulfa products.
- d. Fluvalinate (Apistan strips), coumaphos (CheckMite+ strips) and other prohibited pesticides shall not be used in organic apiaries.
- e. Bee repellants.

**47.8(4) *Source of colonies.***

- a. Bee colonies should be established on new frames and foundation to reduce risk of contamination by pesticides, antibiotics and comb-borne bee diseases which have a potential to be carried over in used equipment. Used deeps and supers, excluding used frames, may be used if sanitized appropriately before use.
- b. The source of adult bees for establishing colonies shall be from package bees as defined by Iowa Code section 160.1A(4) or splits (nucs) made from the operator's own organic colonies, or from another organic beekeeping operation.

**47.8(5) *Apiary location.***

- a. Apiary shall be located on certified organic land.
- b. Apiary shall not be located within two miles of:
  - (1) A sanitary landfill;
  - (2) An incinerator;
  - (3) A power plant;
  - (4) A golf course treated with prohibited substances;
  - (5) A town, city or village;
  - (6) A crop sprayed with prohibited substances during the bloom period; and
  - (7) Other sources of contamination.
- c. If pollen is sold or labeled as organically produced, the apiary shall be located two miles from genetically modified crops.
- d. Organic apiaries should be located as far as possible from nonorganic apiaries.

**47.8(6) Split operation.** Split operations shall be allowed but segregation plans and applicable records must be followed and documented. Organic colonies and nonorganic colonies shall be maintained in separate apiaries. All colonies in both the nonorganic and organic apiaries shall be uniquely identified, and detailed records must be kept on the origin and production history of each colony. Appropriate physical facilities, equipment and management practices shall be established to prevent commingling of non-organic beehive products and organic products or contamination by prohibited substances.

**47.8(7) Health care.**

*a.* A high level of hygiene practices, when handling bee colonies and bee equipment in an organic operation, is required to minimize the need for antibiotic treatments, since the use of antibiotics is prohibited in the production of organic beehive products.

*b.* It is recommended that used supers and deeps, excluding frames, not be introduced into the organic apiary from a nonorganic beekeeping operation. Selling and exchanging of used beekeeping equipment may pose a great risk of transferring comb-borne bee diseases.

*c.* Efforts must be made to minimize stress to colonies by locating apiaries in sheltered areas, maintaining equipment in good condition and winterizing beehives. Empty beehive equipment shall be stored in a dry, pest-free place that does not contain prohibited materials.

*d.* The operator should implement the following practices:

- (1) Use hardy breeds that adapt well to the local conditions;
- (2) Replace queen bees regularly;
- (3) Destroy contaminated materials;
- (4) Renew beeswax regularly; and
- (5) Maintain sufficient stores of pollen and honey in the hive.

*e.* American foulbrood. If a colony becomes infected with American foulbrood disease, the colony, along with all woodenware and comb, must be destroyed by burning.

*f.* Parasites. Colonies shall be treated for parasitic mites using the best available organic methods. Treatments may include, but are not limited to, the use of herbal and vegetable oils during nonhoney flow periods. Colonies so treated may remain in the organic apiary, and honey and other beehive products may be marketed as organic. All synthetic substances except if listed as allowed on the National List are prohibited. Natural substances are permitted unless otherwise listed as prohibited on the National List.

*g.* To aid in reducing Varroa mite populations, nonchemical cultural practices are encouraged, such as drone brood trapping and the use of a screen-modified bottom board in the beehives.

**47.8(8) Product handling.**

*a.* An operation which processes or handles organic beehive products must be in compliance with all applicable handling requirements of this rule.

*b.* If a facility processes both organic and nonorganic hive products, all equipment must be completely emptied and cleaned prior to processing organic hive products.

*c.* Equipment which comes in contact with organic honey must be made of stainless steel, glass, or other food grade materials.

**21—47.9(190C) Aquaculture.** Organic aquaculture operations shall be managed for optimum use of nutrients and minimizing waste. Diversified farms, including more than one species, and recycling fresh-water effluent into cropping systems can help accomplish these goals. If effluent from tanks cannot be recycled, settling ponds may be required to avoid discharging effluent with an excessive nutrient loading.

**47.9(1) Animal stock.** Fish acquired for the purpose of selling as organic must be raised on the farm in accordance with organic standards promulgated in these rules.

*a.* New stock must be acquired from certified organic aquaculture operations.

*b.* Brood stock must be raised as organic during the entire period of gestation for juveniles to be sold as organic.

c. Off-farm fish not certified organic must be temporarily held in an isolation tank for a period of three weeks and fed only organic feed before introduction into certified organic tanks.

d. Fish must be raised as organic for a period of at least three-quarters of their life span (e.g., fish sold as three-month-olds must have been raised as organic for a minimum of 68 days) in order to be sold as organic.

**47.9(2) *Site selection.*** Aquaculture tanks should not be located in sites open to pesticide drift or other harmful contaminants. During operation, basic water quality sampling for pH, oxygen, nitrogenous wastes, and toxins should be conducted by the operator. Operations must be in compliance with all local, state and federal health agency water quality regulations.

**47.9(3) *Feed and supplements.***

a. Fish must be fed 100 percent organic feed, including grains, sprouted grains, and other plant products that are certified organic.

b. Fishmeal and fish oil must be sourced from certified organic fish farms, not wild-caught fish.

c. No more than 20 percent fishmeal by weight is allowed in feed mix.

d. Artificial colors, binders and synthetic astaxanthin are prohibited.

e. Supplements must come from natural sources.

f. Antibiotics are prohibited in certified organic production.

g. The final feed mix should be free from vermin and microbial contaminants, such as aflatoxins and plant diseases.

h. Feed to aquaculture animals should be reduced or eliminated for a period of 48 hours prior to harvest to improve water quality and enhance depuration of the animal's digestive tract for improved food quality.

**47.9(4) *Harvesting and postharvest handling.***

a. All certified organic aquaculture products must be rinsed with potable water immediately after harvest and safely stored and transported according to local, state and federal health agency rules.

b. Operators shall refer to the National List to determine which supplements, such as natural yeast, enzymes, vitamins, and minerals, are allowed in organic aquaculture.

## **21—47.10(190C) Handling and processing of organic agricultural products.**

**47.10(1) *Handlers.*** Handlers of organic products shall be responsible for maintaining the organic integrity of the organic products they handle. Handlers who take legal title and who process organic products, including livestock feed, must be certified. This group may include retailers, distributors, food services, jobbers, packers and shippers.

**47.10(2) *Handlers not taking legal title.*** The activity of individuals or businesses that do not take legal title to organic products but act as agents, licensees, employees, contractors, or subcontractors, co-packers or co-processors and that process, package, or store organic agricultural products for a certified organic farming or handling operation must be covered by the certification of that organic farming or handling operation. Such activity must be described in the organic handling plan and shall be inspected and scrutinized with the same rigor and the same standards as certified entities as part of the certification requirement of the certified organic operation for which a handler acts as agent, licensee, employee, contractor, or subcontractor, co-packer or co-processor. Handlers that are not required to be certified include brokers, commission merchants, and truckers that do not take legal title to organic products.



**47.10(3) Certification requirements for handling and processing operations.**

*a. Organic handling or processing plan.* An organic handling or processing plan must be completed and submitted to the certification agency by the organic handler. The plan shall be reviewed by the certification agency that shall determine if the plan meets the requirements of the program. Operators must notify the certification agency of proposed changes to the organic handling plan. An organic handling plan shall contain provisions designed to ensure that agricultural products sold or labeled as organically produced are handled in a manner that maintains the integrity of the organic product according to Iowa Code chapter 190C and this chapter. The plan must address all elements of organic handling that are applicable to a particular handling operation, including but not limited to the handling system description, schematic flow charts, procedures for ensuring organic integrity, material inputs, ingredients, ingredient and finished product storage, transportation, records and good manufacturing practices.

*b. Good manufacturing practices.* Organic handlers and processors must comply with the current good manufacturing practices specified in 21 Code of Federal Regulations 110 (April 1, 1998). In addition, organic handlers and processors must comply with all other federal, state, and local food handling regulations and the following:

(1) Cleanliness. Necessary precautions must be taken to protect against contamination of food, food-contact surfaces, or food-packaging materials by microorganisms or foreign substances including, but not limited to, perspiration, hair, cosmetics, tobacco, chemicals, medicines applied to the skin, synthetic substances, and natural substances listed as prohibited on the National List.

(2) Education and training. Food handlers and supervisors should receive appropriate training in proper food handling techniques, proper organic handling techniques, and food-protection principles and should be informed of the danger of poor personal hygiene and unsanitary practices.

(3) Plant construction and design. Plant construction and design must permit the taking of proper precautions to reduce the potential for contamination of food, food-contact surfaces, or food-packaging materials by pests, microorganisms, chemicals, filth, synthetic substances, and natural substances listed as prohibited on the National List.

(4) Pest management. Organic handling operations shall implement structural pest management programs which emphasize exclusion, sanitation, restriction of pest habitat, monitoring, and use of least toxic pest control substances and shall be reflected in a pest management plan. Pest control substances that are not included on the National List of approved synthetic substances or that are included on the list of prohibited natural substances shall not be used during the processing, packing, or holding of organically produced human food and animal feed. Should the use of prohibited pest control substances be required to control an infestation, all organic food and feed must be removed from the facility before and during the application of the prohibited pest control substance. Organic food and feed may be brought back into the facility when there is no danger of contamination of the organic food with the prohibited pest control substance. For pesticides applied by fogging, broad surface treatment, or spot treatment, 72 hours must elapse prior to the reintroduction of organic ingredients, products or packaging to the treated area. For areas treated by fumigation, 120 hours must elapse prior to the reintroduction of organic ingredients, products or packaging to the treated area. All food-contact surfaces exposed to pesticides must be cleaned before organic handling resumes.

(5) Sanitation of food-contact surfaces. Treatment of food-contact surfaces, including utensils and food-contact surfaces of equipment, with cleaning compounds and sanitizers must be done in such a way as to prevent the loss of organic integrity. Extra rinses, flushes, purges and testing may be required prior to the production of organic products.

(6) Boiler water additives. Residues of boiler water additives must be prevented from contacting organically produced food by the use of steam without entrained water, steam filtering, or other means.

(7) Waste management. Wastes shall be managed so as to prevent environmental degradation, including contamination of groundwater and surface water. Wastes shall be contained so as not to attract pests or present a contamination potential to organic products.

(8) Transportation. Organic products shall be transported in containers which are free of odors and residues of prohibited substances and products which could compromise the integrity of the organic products.

**47.10(4) Prohibited.**

a. *Chemicals used in washing/peeling.* Synthetic substances or natural substances listed as prohibited on the National List shall not be used to wash, peel, or otherwise prepare organically produced raw agricultural products or organic food, unless they are required by federal, state, or local food-handling regulations.

b. *Water used in handling.* Water that contacts nonorganically produced raw agricultural products during handling operations such as washing, floating, rinsing, or cooling must not be used for handling of organically produced raw agricultural products. If necessary, organic agricultural products shall be processed before nonorganic products to comply with this requirement.

c. *Ionizing radiation.* Ionizing radiation for the purpose of killing insects or microorganisms in the food or for preserving food shall not be used in the handling of organic food. Use of X-rays for inspection of organic food, as in metal detectors, is allowed.

d. *Recombinant DNA technology.* Organisms that are created through the use of recombinant DNA technology, or products of such organisms, shall not be used as ingredients or processing aids in the handling of organic products.

**47.10(5) Prevention of commingling.** Safeguards to prevent the commingling of organic products with nonorganic products or prohibited substances shall be established.

**47.10(6) Records.** Records and inventory control procedures must be adequate to trace all ingredients and products from the supplier through the entire production system, including packaging and storage, and on through distribution, sales and transport, using lot numbers, date codes, or a similar product tracking system. Organic handlers must retain valid proof of certification for all organic ingredients. Detailed written information on all ingredients, additives, and processing aids used in the production of products must be maintained. A description of the system of internal record keeping that documents the movement of each specific lot of organic food through each step of the handling operation shall be maintained.

**21—47.11(190C) Composition and labeling for finished multi-ingredient products.**

**47.11(1) Labels.**

a. All organic agricultural food products must be labeled in accordance with Title 21, Part 101 of the FDA Administration Code of Food Requirements and the Organic Foods Production Act of 1990 (7 U.S.C. 6501 et seq.). Labels of all organic food products must contain the certification agency name. Labels may contain agency seal or logo.

b. The following apply to manufactured products labeled as “organic” on the principal display panel:

(1) For a product to be labeled “organically produced,” 95 percent of the multi-ingredient finished product either by weight or volume, whichever is more appropriate, must be comprised of certified organically produced ingredients.

(2) Ingredients that are nonsynthetic and not organically produced and are included on the National List of substances approved for processed food may be used, provided that they represent no more than 5 percent of the total weight of the finished product, excluding water and salt.

**47.11(2) Prohibited.**

a. Organic and nonorganic forms of the same agricultural ingredient shall not be combined in a product sold, labeled or represented as “organic” or “made with organic ingredients” if the ingredient is represented as organic in the ingredient statement.

b. The term “organic when available” shall not be used on such organic agricultural products.

c. Any nonsynthetic substance that is on the National List of prohibited nonsynthetic substances.

d. Any ingredient known to contain excessive levels of nitrates, heavy metals, or toxic residues.

e. Any sulfites, nitrates, and nitrites.

- f.* Any ingredient produced using synthetic volatile solvents or propylene glycol.
- g.* Any packaging materials, storage containers or bins that contain synthetic fungicides, preservatives, fumigants, or prohibited substances which may contaminate organic products.
- h.* Any packaging materials that had previously been in contact with any prohibited substance in such a manner as to compromise the integrity of an organic product.
- i.* Any water that does not meet the requirements of the Safe Drinking Water Act.
- j.* Ionizing radiation, including ingredients which have been subjected to ionizing radiation.
- k.* Genetically engineered organisms and their products.

**21—47.12(190C) Packaging.**

1. Packaging materials for organic food products must be food grade and must not contaminate the organic product.
2. Packaging must be free of prohibited substances such as fungicides, preservatives, and fumigants.
3. Aluminum, tin and solder shall not be used unless those substances are between pH 6.7 and 7.3.

**21—47.13(190C) List of substances.**

**47.13(1)** The department shall adopt the National List of substances, allowed or prohibited for organic production and handling of products sold or labeled as organically produced, pursuant to the Organic Foods Production Act of 1990 and promulgated by the National Organic Program upon its implementation.

**47.13(2)** The list established shall contain an itemization, by specific use or application, of each synthetic substance permitted, or each natural substance prohibited, according to the Organic Foods Production Act of 1990 (7 U.S.C. 6501 et seq.).

**47.13(3)** Until such time that the National Organic Program is implemented, substances allowed or prohibited shall be determined by reference to the generic materials list published by the Organic Materials Review Institute (OMRI). Generic lists published by other organizations may be reviewed by the board for acceptability on a case-by-case basis. In any case, only those substances may be used which are in compliance with the Organic Foods Production Act of 1990 (7 U.S.C. 6501 et seq.).

These rules are intended to implement Iowa Code chapter 190C.

[Filed 11/1/89, Notice 8/23/89—published 11/29/89, effective 1/3/90]

[Filed 3/25/91, Notice 1/23/91—published 4/17/91, effective 5/22/91]

[Filed 12/21/94, Notice 10/26/94—published 1/18/95, effective 2/22/95]

[Filed 9/16/99, Notice 7/14/99—published 10/6/99, effective 11/10/99]